

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

HAMLOT MEDICAL CENTER OF THE CITY)	
OF ERIE, PENNSYLVANIA,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 03-83E
)	
JAMES ZAJIC a/k/a JIM ZAJIC and)	
DIANE FITZGERALD, his wife,)	
)	
Defendant.)	

ORDER

AND NOW, this 13th day of January, 2006, the plaintiff having failed to comply with this Court's Order dated July 29, 2004, which advised the plaintiff that failure to serve the Complaint on any defendant by August 25, 2004, would result in dismissal of the action with respect to each defendant not served, and this Court's Order dated August 30, 2004, which extended the time to effectuate service until September 8, 2004,

IT IS HEREBY ORDERED that the above captioned matter is DISMISSED without prejudice for failure of plaintiff to effectuate proper service.

s/Maurice B. Cohill, Jr.
Senior United States District Judge

cc/ecf: Theodore B. Ely, Esquire